

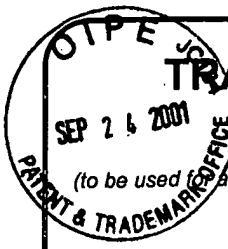
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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

10

Application Number

08/805,813

Filing Date

February 26, 1997

First Name Inventor

Mitsuhara, Ichiro

Group Art Unit

1638

Examiner Name

A. Nelson

**RECEIVED**

SEP 28 2001

TECH CENTER 1600/290C

Attorney Docket Number

085760000000

**ENCLOSURES (check all that apply)**

Fee Transmittal Form

Fee Attached

Amendment / Response

After Final

Affidavits/declaration(s)

Extension of Time Request

Express Abandonment Request

Information Disclosure Statement

Certified Copy of Priority Document(s)

Response to Missing Parts/ Incomplete Application

Response to Missing Parts under 37 CFR 1.52 or 1.53

Assignment Papers  
(for an Application)

Drawing(s)

Licensing-related Papers

Petition Routing Slip (PTO/SB/69) and Accompanying Petition

Petition to Convert to a Provisional Application

Power of Attorney, Revocation Change of Correspondence Address

Terminal Disclaimer

Request for Refund

CD, Number of CD(s)

After Allowance Communication to Group

Appeal Communication to Board of Appeals and Interferences

Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

Proprietary Information

Status Letter

Other Enclosure(s)  
(please identify below):

Return Postcard

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm and Individual name	Townsend and Townsend and Crew LLP Peter Seperack	
Signature		
Date	09/21/2001	

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SF 1272241 v1

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On September 27, 2001

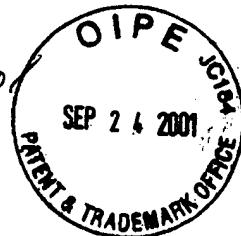
TOWNSEND and TOWNSEND and CREW LLP

By: John Xane

AMENDMENT UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE -  
EXAMINING GROUP 1638

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

ICHIRO MITSUHARA, et al.

Application No.: 08/805,813

Filed: February 26, 1997

For: PATHOGEN-RESISTANT  
PLANTS AND METHOD FOR  
PRODUCTION THEREOF

Examiner: A. Nelson

SECOND SUPPLEMENTAL  
AMENDMENT UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE EXAMINING  
GROUP 1638

**Box AF**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Final Office Action mailed March 9, 2001, Applicants respectfully request reconsideration in view of the Second Supplemental Amendment filed herein together with the Supplemental Amendment filed September 18, 2001 and the Amendment filed August 23, 2001. For the convenience of the Examiner, a list of the pending claims after entry of these amendments is attached as Appendix I.

Please amend this application as follows: